



# HUMAN RIGHTS REPORT

Kentucky Commission on Human Rights Quarterly Newsletter

Summer 2004



## *Executive Director Watts says farewell after 12 years*

Beverly Watts announced at a July 22 press conference that she would be leaving her position as executive director of the Kentucky Commission on Human Rights after more than a decade to take a new job as director of the National Fair Housing Training Academy in Washington D.C. Staff attorney Morgan Ransdell began service as the commission's acting

executive director on September 1.

The commissioners and staff wish to recognize and thank Ms. Watts for 12 years of leadership and service to equality in Kentucky. She led KCHR to many accomplishments during her tenure, including an increase in new complaints from 150 in 1992, to 338 in the 2004 fiscal year that ended June 30; an increase from 78 complaints closed in 1992 to 346 closed in 2004; a decrease in case resolution times from as many as 800 days in 1992 to the current average range of 78 to 184 days; the obtaining of substantial equivalency status from the U.S. Department of Housing and Urban Development (HUD); a contract with the U.S. Equal Employment Opportunity Commission; establishment of an agency legal unit to increase litigation, and provide training, research and legal oversight; and, the opening of the Northern Kentucky Field Office in Covington.

As a spokesperson and ambassador, Ms. Watts laid the foundation for many civil rights partnerships, collaborations and projects. Her involvement in

committees and task forces on behalf of KCHR have brought recognition and support to our work and mission. A significant achievement is the commission's comprehensive education and outreach program, which now consists of several far-reaching initiatives such as the Kentucky Civil Rights Hall of Fame; The Annual Town Forum; The Annual Martin Luther King Jr. Legacy Celebration with its Youth and Adult Leadership Awards; The Gallery of Great Black Kentuckians biographical posters and bookmarks for students; civil rights, fair housing, sexual harassment, local commissioner and other training; Fair Housing education and outreach for Hispanic communities; exhibits; research projects; a quarterly newsletter and full literature line; an agency website; and local commission partnerships.

"Education on both sides of the aisle, for those who may be victims of discrimination and for those who may be perpetrators of discrimination, is an absolute key to eradicating discrimination from the commonwealth," Ms. Watts recently told reporters.

In 2003, she finished a second, two-year term as president of the International Association of Official Human Rights Agencies (IAOHRA), and continues to serve on the board. The organization is made up of U.S. and international human rights agency leadership. Members work to improve and enhance enforcement and education and to impact legislative bodies as one voice. Ms. Watts' commitment to IAOHRA helped bring Kentucky to the forefront as a state committed to making a difference.

Best wishes and congratulations to Beverly as she continues to fight to end discrimination and foster understanding, unity and equality in the world.

## *Morgan Ransdell is acting executive director*

The Kentucky Commission on Human Rights (KCHR) named Morgan G. Ransdell as acting executive director effective Sept. 1. Chair Priscilla Johnson made the announcement Aug. 3 at a special meeting held at Louisville headquarters.

Mr. Ransdell, a resident of Louisville, has been a staff attorney with KCHR since 1998. Previously, he was an assistant attorney general for the Commonwealth of Kentucky during two consecutive administrations under

Attorneys General Chris Gorman and Ben Chandler, respectively. He received a bachelor's degree with high distinction in 1990 from the University of Kentucky. He is a 1993 graduate of the Vanderbilt University School of Law.

Mr. Ransdell indicated to commissioners that he would not seek the permanent executive director position and that it is his wish to resume his duties as an attorney for the commission upon the appointment of a permanent

executive director. He expressed his appreciation to the commissioners for their vote of confidence. "As acting executive director, I will strive to maintain stability and a high level of effectiveness during this transition," he said.

Chair Johnson said Mr. Ransdell is an excellent choice and has the full confidence and support of the commissioners. She said the commission would conduct a national search to fill the permanent position.





332 W. BROADWAY  
SUITE 700  
LOUISVILLE, Ky. 40202  
502.595.4024  
800.292.5566  
Email address:  
kchr.mail@ky.gov  
Web site address:  
www.state.ky.us/  
agencies2/kchr

Chair  
Priscilla Johnson  
Lexington

Commissioners  
Richard E. Brown  
Owensboro

William Cleves  
Covington

Thurmond Coleman Sr.  
Louisville

Henry Curtis  
Frankfort

Ann Darragh  
Bardstown

Sue Dowdy  
Russell

Todd Hollenbach IV  
Louisville

Deborah Kent  
Louisville

Anita Simmons  
Hopkinsville

Y. Denise Payne Wade  
Louisville

Morgan Ransdell  
Acting Executive Director

## *The Privilege of Serving*

### *Farewell Column by Beverly Watts*

Twelve years ago, I walked into the Kentucky Commission on Human Rights as its third director. I did not know what I was getting into at that time but I must say this has been the best job to date that I have ever held. It has been a privilege to serve as this commission's executive director.

Let me thank commissioners, past and present, and all of the many staff people for supporting me throughout my tenure and for their dedication to the people of Kentucky. Thanks also to the many partners, organizations and allies who have helped us fight to eradicate discrimination in the commonwealth.

Since our first task in 1960 of encouraging understanding between the races, this organization has come a long way. The passage of the Kentucky Civil Rights Act in 1966 made discrimination illegal in employment and public accommodations and gave enforcement authority to the commission. The historic law came about after more than 10,000 people marched on Frankfort on March 5, 1964. This group was encouraged by words from Dr. Martin Luther King Jr., Jackie Robinson, Peter, Paul and Mary, Defender newspaper publisher Frank Stanley, and many more. Gov. Ned Breathitt met with the group at that time and pledged to help pass a civil rights act in Kentucky. The commission's powers were expanded in 1968 with the passage of the Kentucky Fair Housing Act, making Kentucky the first state in the south to have such authority. In 1972, our jurisdiction was expanded to include sex discrimination, and in 1992 it was expanded to protect persons with disabilities from discrimination.

Today, the commission's authority now covers the areas of employment, housing, public accommodations, and financial transactions. Protected classes now include, race, color, religion, national origin, sex, age, disability, familial status, and smoking status.

During my 12 years, we have honed and improved procedures in case investigation, case processing and case resolution. Compensation to complainants has increased. Partnerships and collaborations across the commonwealth have resulted in 18 local human rights commissions whose work on the local level is essential to the state's enforcement of civil rights. Public education, civil rights compliance training and research strategies have transformed this agency into an even more powerful and effective voice for equality and opportunity on state and national levels. Last year, we received more than 7,000 calls. This year, we closed 346 cases and negotiated 40 conciliation agreements that included \$205,850 in compensation

for complainants. The commission provided civil rights education to 11,600 people in more than 100 training sessions and presentations. Educational special events, like the Kentucky Civil Rights Hall of Fame, the anniversary of the 1964 Civil Rights March on Frankfort, and others, drew audiences of 4,500 people. The commission reached over 1 million people through 200 media stories regarding our enforcement and education activities. We issued two research reports and collaborated for a report on predatory lending, one of the first of its kind in the nation. The staff also provided training and assistance to the 18 local human rights commissions in Kentucky throughout the year.

As I leave the commission, I have confidence in the expertise and abilities of the commissioners and staff. Their challenge is to maintain the course and not to get discouraged during these times. The rumored reorganization of the commission has created uncertainty. I urge Gov. Fletcher to truly assess the commission before moving forward with any reorganization plan.

If the governor's Blue Ribbon Panel truly does a high level assessment, then I believe the organization will continue to grow and expand as it has during the last 12 years. The commission has functioned well over its entire history due, in large part, to the services of diverse, skilled commissioners from across the state. Our 11 commissioners, including those who are currently serving and those who have served in the past, have been independent voices of communities and constituents throughout the agency history. The commission needs to continue to have an independent body with independent leadership. The commission also needs the appropriate resources and staff to continue to function at a level of excellence. Change is not a bad thing, but change without appropriate study and without input from all interested parties is not good. The rumored reorganization of reducing the commission body from 11 part-time commissioners to three full-time commissioners should be looked at very seriously. I am on the record opposing such an act. At this point, there is not sufficient workload for commissioners to be full-time. Current staff resources are not able to keep up with the necessary workload. I urge the governor to empower his Blue Ribbon Panel to study this situation very thoughtfully and carefully. I urge people in Kentucky, who fought hard for the existence of the commission and for its authority to, once again, step up and lend your voice both in Frankfort and throughout the state. Your voice has emboldened and empowered this commission throughout its existence. Your voice is

once again needed. You should raise your voice to those who will serve on the Blue Ribbon Panel. You should raise your voice and provide input to Gov. Fletcher's office about the commission and what needs to happen to it.

I am going on to be the executive director of the National Fair Housing Training Academy. Please feel free to reach me at 202.865.2501. This is a continuation of my role at the commission where it was my charge to enhance, sustain and identify best practices to enhance KCHR. I wish you well and encourage those

of you in Kentucky to continue to fight to ensure that we will always stand together and never be divided.

There is an African proverb that says the weavers of webs can tie up mighty lions. This was proven in 1960, when the commission was created, and in 1964, when Kentuckians and persons from across the state marched on Frankfort to make their voices heard. If you believe that should happen again, then it is time for all of us to weave the web as it supports and sustains the commission as an independent, credible body.

## *Commission Rulings*

The commission approved eight conciliation agreements during its July, August and September meetings. Conciliation agreements are reached through KCHR negotiations between complainants and respondents in consideration for the full and complete resolution of all claims of alleged discrimination. Each conciliation respondent denies any violation of the law. The commission dismissed 94 complaints, which, after investigation, resulted in findings of no probable cause. The commission accepted eight complaint withdrawals without settlement and one withdrawal with an undisclosed settlement.

**KCHR Chair Priscilla Johnson, Tamera Thomas and Hettie Bell Oldham v.**

**Newcomb Oil Company d/b/a Five Star Food Mart in Frankfort:** In a complaint alleging discrimination based on race in a place of public accommodations, in violation of the Kentucky Civil Rights Act, KRS 344.120, and after a finding of probable cause was issued, a conciliation agreement was reached and included total compensation by the respondent to the complainants in the amount of \$5,000, with \$2,175 each to Ms. Thomas and Ms. Oldham, and \$650 to KCHR to be used for civil rights education programs. The respondent agreed to discontinue making customers prepay for gas only one time of the year, (during the KSU homecoming week) without making customers prepay the rest of the year. The respondent agreed to comply with civil rights laws and to post notices at its facilities about civil rights so that patrons may see them. The respondent agreed to be monitored by the commission regarding compliance and to participate in civil rights compliance training.

**Edwina Sue McDonald v. Contours Express Inc. in Nicholasville:** In a complaint based on disability in employment, in violation of KRS 344.040, and after a

finding of probable cause was issued, a conciliation agreement was reached and included the following: Compensation by the respondent to the complainant in the amount of \$1,500; The respondent agreed to civil rights compliance, training, commission monitoring and public postings of the law.

**KCHR Commissioner Richard Brown v.**

**Gateway Press in Louisville:** In a complaint alleging discrimination based on sex in employment, in violation of KRS 344.020 and KRS 344.040, a conciliation agreement was reached and included compensation by the respondent to the commission in the amount of \$500. The respondent adopted a policy prohibiting unlawful discrimination and agreed to civil rights compliance, training, commission monitoring and public postings of the law.

**Barbara Redmon v. C & L Restaurant Group Inc. d/b/a Burger King #1007 in**

**Lexington:** In a complaint alleging discrimination based on disability in a place of public accommodations, in violation of the Kentucky Civil Rights Act, KRS 344.120, a conciliation agreement was reached and included compensation by the respondent to the complainant in the amount of \$1,000. The respondent agreed to modify the premises at Burger King #1007 to comply with the Standards for Accessible Design and the Americans With Disabilities Act Accessibility Guidelines for Buildings and Facilities. The public restrooms will be made accessible to customers who use wheelchairs. The respondent agreed to civil rights compliance, training, commission monitoring and public postings of the law.

**Gavin Pritchett v. Champion Homes**

**Inc. in Flemingsburg:** In a complaint alleging discrimination based on race in employment, in violation of KRS 344.040, and based on retaliation for complaining about the alleged discrimination, in violation of KRS 344.280, a conciliation agreement was

reached and included compensation by the respondent to the complainant in the amount of \$3,500. The respondent is no longer a business entity in Kentucky, but should the business return, the respondent agreed to be monitored by the commission for three years regarding civil rights compliance, and while in the state, to post and maintain the KCHR Equal Employment Notice so that employees may see it.

**Jeanie Arnold v. Landmark Stone**

**Products LLC in Lexington:** In a complaint alleging discrimination based on sex in employment, in violation of KRS 344.040, a conciliation agreement was reached and included compensation by the respondent to the complainant in the amount of \$2,250. By the time of the agreement, the respondent had distributed nondiscrimination policies to employees and trained all management regarding civil rights compliance. The respondent posted an Equal Employment Opportunity Notice on its property for employee viewing.

**John and Joni Sutherland v. The Mortgage Connection of Evansville Inc. in**

**Owensboro:** In a complaint alleging discrimination based on disability in housing, in violation of the Kentucky Civil Rights Act, KRS 344.360, a conciliation agreement was reached and included compensation by the respondent to the complainant in the amount of \$1,250. The respondent agreed to civil rights compliance, training, commission monitoring and public postings of the law.

**KCHR Commissioner Richard Brown v.**

**Vivid Impact in Louisville:** In a complaint alleging discrimination based on sex in employment, in violation of KRS 344.020, a conciliation agreement was reached and included compensation by the respondent to the commission in the amount of \$500. The respondent agreed to civil rights compliance, training, commission monitoring and public postings of the law.

**Kentucky Commission on Human Rights**  
**The Heyburn Building, Suite 700**  
**332 W. Broadway**  
**Louisville, Kentucky 40202**

# **HUMAN RIGHTS REPORT**

**Visit our web site to see the 2004 Annual Report**  
**[www.state.ky.us/agencies2/kchr](http://www.state.ky.us/agencies2/kchr)**